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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 352738.00300
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>November 8, 2005</u> Signature _____ Typed or printed name <u>Norma E. Gillespie</u>		Application Number 10/042,485
		Filed January 2, 2002
		First Named Inventor <u>Seikei Lee, et al</u>
		Art Unit _____
		Examiner _____
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>		
<p>I am the</p> <p><input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>39,240</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p>		
<p><u>Doyle B. Johnson</u> Signature Doyle B. Johnson Typed or printed name</p> <p><u>415-659-5969</u> Telephone number</p> <p><u>November 8, 2005</u> Date</p>		
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>		
<p><input type="checkbox"/> *Total of _____ forms are submitted.</p>		

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney's Docket No. 352738.00300

UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Seikei Lee et al.

Application No. 10/042,485

Filing Date: January 8, 2002

For: NETWORK CONFERENCING
SYSTEM, ATTENDANCE
AUTHENTICATION METHOD AND
PRESENTATION METHOD

Examiner: Cang G. Thai

Group Art Unit: 3629

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Commissioner for Patents
P.O. Box 1450
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

This Request for Review is taken from the final rejection mailed Aug. 10, 2005. Claims 1 – 9 and 16 – 37 were pending and the Office Action rejected all claims. Specifically, the claims were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,397,275 (“Clapp”).

The present claims are directed to a network conferencing system comprising various specific components, such as illustrated in Figs. 1 and 2 of the present application. However, the Clapp reference relied on by the Office Action is merely directed to specific video conferencing peripheral (hardware) device, and lacks many of the specific limitations claimed in the pending claims.

As understood by the Applicant, Clapp discloses a peripheral video conferencing device, specifically a particular hardware device for providing video conferencing. Contrary to the assertions in the Office Action, this reference simply fails to disclose most of the claimed

limitations in the pending claims. In particular, the citations to Fig. 6 of Clapp merely reference input and/or output plug connections, and clearly do not disclose the specific limitations of the present claims.

For example, with respect to Claim 1, there are several specific limitations including:

a presentation unit for presenting the contents of a presentation by using the output electronic equipment

The Office Action cites Fig. 6, element 122 as disclosing this limitation. However, clearly element 122 is merely a connection panel on the peripheral device, and does not meet the limitation of being a “presentation unit” as that term is used in the present disclosure.

a presentation contents browsing unit for browsing the contents of the presentation presented by the presentation unit of the other attendant electronic equipment using the output electronic equipment

The Office Action cites Fig. 6, element 124 as disclosing this limitation. However, element 124 is just an NTSC/PAL video plug connection, and does not in any way support the rejection of a claim to a “presentation contents browsing unit”.

an authentication unit for carrying out authentication of attendance of each electronic equipment connected to the communication network, at a conference

The Office Action cites Fig. 6, element 170 as disclosing an “authentication unit....” Element 170, though, is labelled in Fig. 6 as a “Communication Channel Interface Panel”. How does reference to an interface panel provide support for the rejection of an “authentication unit”? Clearly it cannot. Moreover, there are no citations or references to any other parts of the Clapp specification to support this rejection i.e. there is no basis for even stating that Clapp performs any attendance authentication at all.

an equipment management unit for managing the state of each electronic equipment connected to the communication network

The Office Action cites Fig. 6, element 172 for support. Element 172 is shown as a connector for connecting the peripheral device to an ISDN connection. This obviously fails to anticipate

“an equipment management unit”. The Office Action has clearly failed to establish a proper basis for rejection under section 102.

a display unit for displaying, as icons, the other attendant electronic equipment with their attendance authenticated by the authentication unit and the electronic equipment managed by the equipment management unit

The Office Action cites Fig. 6, element 150 in support of the rejection of this limitation. Element 150, as shown and described in Clapp, however is an “Input Interface Panel.” There is no support for rejecting this limitation which specifically requires a display unit, which displays the other equipment as icons. Clapp simply does not disclose any such features.

a proceedings control unit for controlling preparation of the proceedings by using the contents of the presentation presented by the presentation unit

The Office Action cites Fig. 6, element 152 as disclosing this element. But element 152 is simply a “video main” plug connector and does not have anything to do with a “proceedings control unit” as that term is used in the present specification and claims.

wherein one of the authority to be a presenter terminal, the authority to be a chairman terminal, and the authority to be an attendant terminal, is acquired by each of the attendant electronic equipment

The Office Action cites Fig. 5, element 122 in support of the rejection. However, element 122 in Fig. 5 is again the Output Interface Panel, and does not support any discussion of authentication or the process by which various terminals acquire authority to perform specific functions, as required in this claim limitation.

As is clear from the above example with respect to Claim 1, the Office Action has utterly failed to provide a statutory basis for the rejection of this claim under section 102, and therefore the rejection should not be upheld. Claims 2 and 3 are allowable for at least the reasons advanced above with respect to Claim 1.

With respect to Claim 4, the Office Action fails to provide any support for the rejection of the following element:

the authentication function unit obtains conference attendance requests including personal data related to the other attendant electronic equipment from the conference management server and prepares attendance permission information or attendance non-permission information for the other attendant electronic equipment in accordance with the operation by the user based on the personal data

In addition to the reasons noted above with respect to Claim 1, Claim 4 is allowable since the Office Action has failed to address this limitation.

With respect to Claim 5, the Office Action cites Col. 18, lines 23-26, which states “a user may, for example, selectively decide to view video images associated with a local source video signal 254 received from either a main or an auxiliary video source 152 or 154.” This language is irrelevant in comparison the claim language directed to authenticating a user and selecting icons.

Similarly, the limitations of Claim 6 are not met by citation to Col. 18, lines 36-39 of Clapp, which states “the gain of the audio input of a main camera or auxiliary camera, for example, may be modified by a conferencing party” and Col. 19, lines 13 – 17, “conferencing parties, for example, may initially share a window presented in color, and subsequently switch to black and white presentation at step 730 if a degradation in picture quality , typically resulting from a reduction in the rate of data transmission over the data pipe 82”. The citations to the audio gain and changing window color are not even relevant to attendance processing and authentication as claimed in Claim 6. The Office Action has not even made a fair attempt to meet this limitation.

Claim 7 specifically states that the display unit includes icon displays of the other equipment in the network. Again the Office Action has failed to adequately address this specific limitation, as Clapp does not discuss displaying other equipment on the network as icons on a display screen.

Similarly, with respect to the rejection of the remaining claims, the citation to Clapp’s peripheral device, and various connectors, interface panels, etc. simply does not meet the limitations of the present claims, and an anticipation rejection under 35 U.S.C. § 102 (e) is inappropriate. The Applicant believes that the Clapp reference is not a particularly relevant reference, and does not disclose in sufficient detail the specific limitations of the present invention as claimed.

The Applicant respectfully requests that the finality of the Office Action be overturned and either the case passed to issuance, or more relevant art be cited. If new art is cited, the Applicant should be able to respond to a new Office Action as if the action is a first action, since the Clapp reference is so deficient (as detailed above).

If a telephone interview will help expedite the prosecution of this case, please contact the undersigned attorney at the telephone number listed below.

The Commissioner is hereby authorized to charge any fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.78 to Deposit Account No. 50-2603, referencing Attorney Docket No. 352738.00300. This document is submitted in duplicate.

Respectfully submitted,
REED SMITH LLP

Dated: November 8, 2005

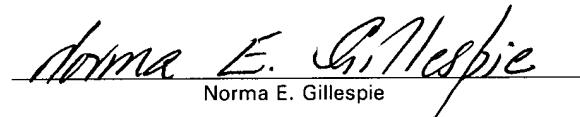
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Dated: November 8, 2005


Norma E. Gillespie